

Mr. MAZZOLI. Mr. Speaker, once again the issue of campaign reform is squarely before the Congress. We have our work cut out for us.

We must reconstitute the Federal Election Commission as a near-term first step. There are several recommendations pending. I favor making the Commissioners appointees of the President, subject to Senate confirmation, with as much independence as is possible to create for them.

Congress should act quickly on this legislation so what remains of the act can be enforced.

We must, in the long term, face the unpleasant fact that our efforts to regulate congressional campaign spending have not met the constitutional test. So, time has finally come to take a serious look at public financing for House and Senate races.

This proposal is thorny and fraught with anticipated and unanticipated problems. But, we cannot afford to backslide to the "old" system where campaigns are won or lost, depending upon the presence or absence of big money.

I commend the gentleman from New York for sponsoring this special order. It provides an appropriate forum for the discussion of this many-faceted matter.

GENERAL LEAVE

Mr. PEYSER. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

TO PROTECT THE LIVES OF INTELLIGENCE EMPLOYEES OF THE UNITED STATES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. MICHEL) is recognized for 60 minutes.

Mr. MICHEL. Mr. Speaker, the first bill (H.R. 11365) I introduced in this session was designed to protect the lives of intelligence employees of the United States, and was prompted by the tragic murder of Richard Welch, a CIA employee, during Christmas week in Athens, Greece. Many of us were shocked and dismayed to learn that Welch's murder may have been caused by his having been publicly identified as an employee of the CIA.

In researching whether there was any law providing for criminal penalties against anyone blowing the cover of people engaged in intelligence work for the United States, I was advised that there was none, even though we do have laws on the books with criminal penalties prohibiting the premature disclosure of crop estimates, the names of borrowers from the Federal Land Bank, tax return information and the questions on a civil service examination. My office immediately got in touch with the then Director of the Central Intelligence

Agency, William Colby, to determine whether he had a similar concern.

We also inquired whether there were any other incidents similar to the Welch case, which had not heretofore been publicly revealed and if so, could they be declassified.

Late last month we received information from Acting CIA Director Lt. Gen. Vernon A. Walters in response to our request. To me, this information bolsters our case for the enactment of the legislation.

Mr. Speaker, intelligence is a vital national asset, but it does not generate itself. Intelligence sources and methods are painstakingly acquired and developed, often at high cost. It has taken 28 years for us Americans to build up the best foreign intelligence organization in the world. I have taken this special order as one who is concerned that the systematic exposure of our country's intelligence secrets is doing grave harm to our Nation's intelligence structure.

I think Senator MANSFIELD's remark the other day that the intelligence function is a cornerstone to national survival was well put. While I am very concerned about the general problem of protecting our country's intelligence sources and methods, today I would like to address the most pressing and acute aspect of this problem; namely, protecting the lives and safety of the people engaged in U.S. intelligence activities; this is the subject of my bill.

Mr. Speaker, in some cases identifying and exposing American intelligence personnel who are under cover is fingering them for murder. At this moment there are groups within the United States literally vying with each other to discover and publish the identities of American intelligence officers and agents, and there are no laws to stop them. The brutal slaying of Richard Welch has not deterred them; if anything it has encouraged them.

American intelligence personnel make attractive targets for the extremist groups and terrorist organizations that infest the modern world.

Mr. Speaker, my colleagues should know that the attack on Richard Welch was not an isolated case. I am sorry to say there have been other incidents. For example, very recently, in an area of the world in which a number of terrorist groups have been active, an American embassy official was identified by a local journalist as a CIA officer. The journalist's identification may have stemmed from an exposé of the CIA. It is unimportant whether that embassy official actually was or was not a CIA officer. The fact that he was alleged to be a CIA officer led to his being marked for assassination by a terrorist squad. The terrorist staked out an ambush. The American officer was not entrapped in the ambush; however, a local citizen was slain. It was a close call.

While I cannot discuss further details, I can tell you that other alarming reports have come to my attention concerning plots and threats on the lives of people who have been identified as intelligence personnel. Nor have the families of those pinpointed been spared.

Families of some of those identified have received numerous and graphic threats. There have been bombing attempts. In one country the local authorities found an extremist with photographs of the little children of one of the men identified.

It should be pointed out that many, if not most, of those labeled as CIA people are not in fact affiliated with CIA. And yet when some group identifies them as CIA personnel, they and their families become subject to the dangers and threats that intelligence personnel are now facing.

It is true that the main threat to our intelligence people comes from terrorist groups and extreme political parties. However, the Communist intelligence services have not shrunk from violence, kidnaping, and assassination to further their goals. Indeed, they have units specializing in these methods. In the Soviet intelligence service, the KGB, the group that specializes in violence, kidnaping, and assassination is the ultrasecret "Department V." Those in "Department V" gruesomely refer to their assignments as "wet jobs." We have all heard firsthand accounts of the KGB using these techniques against domestic dissidents. However, you should know that "Department V" has used violence, kidnaping, and assassination all over the world.

I do not know if Communist intelligence services have used such methods against American intelligence people. That is not my point. Nor can I prove an absolute cause and effect relationship between the exposures of CIA people and the recent threats and attacks against them by extremists. That is not my point either, although I personally think that it is a fair assumption that the exposures brought on the threats and attacks. My point is that in a world where there are ruthless adversaries and terrorist groups, it is foolhardy in the extreme to permit public identification of American intelligence personnel who are under cover.

We must realize that there are ugly back alleys in the world. Vigilance requires that we send dedicated men and women into these hostile places. Because of our legal and moral traditions we have placed restrictions on these men and women before sending them forth.

Usually the only thing going for them—the only protection we can extend to them—is their cover, their anonymity. Groups here in the United States whose stated purpose is to destroy our country's intelligence agencies are now methodically exposing our intelligence officers.

I cannot believe that Congress will sit safely here in Washington, smugly exploiting the intelligence information which these men and women provide it, and not lift a finger to protect them or their families. This would be a grotesque spectacle. But it is the spectacle which is taking shape right now.

Mr. Speaker, to date 43 Members have joined me in cosponsoring legislation making it a crime to identify American intelligence personnel operating under cover. As I mentioned earlier in my remarks the Congress has enacted criminal sanctions to protect the questions on civil service exam. Congress has made

it a crime to disclose the names of bank borrowers from the land bank. But it is not a crime to finger an American intelligence employee for possible murder. Congress has passed no law to protect the lives of the men and women it is sending overseas and into hostile parts of the world to gather intelligence. Surely, those who have helped and will continue to help this country avert a nuclear war are fitting candidates for equal treatment with the names of bank borrowers.

The legislation I have introduced is a reasonable and workable approach to this problem. It does not impose a prior restraint on publishing, and thus should not raise serious first amendment objections. But it does set tough criminal penalties, including a prison sentence of up to 10 years, for identifying intelligence personnel.

I hope these remarks will show that it is folly to delay action on this bill: We cannot wait for the next assassination attempt. Therefore, I urge the members of the Judiciary Committee to hold hearings immediately, and report a bill to the floor. Congress should act swiftly or we surely will be taking an unconscionable gamble.

In the outer hallway of the headquarters building of the Central Intelligence Agency in Langley, Va., they have rows of stars, each star representing an intelligence officer who has given his life in line of duty. Right now they are placing another one there for Richard Welch. It will not be the last one. But I hope that when the next star is chiseled on that marble wall, we in Congress can say at that time that we did our best to protect our fellow citizens.

Mr. COLLINS of Texas. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Texas.

Mr. COLLINS of Texas. Mr. Speaker, I am proud to be a cosponsor of this legislation which the gentleman from Illinois has introduced, because we are talking about the security of the entire Nation. The CIA represents our front line of defense.

As the gentleman from Illinois was talking I thought about how an hour ago in my office I was notified I can no longer receive the grades of young men I send to the academies. I have been keenly interested in their progress and we have kept up with that, but I am not able to learn any longer what a boy earns in the academy because that is so secret, even though it is a Government institution and we are very proud of them.

But here with respect to the CIA the most we seem to be able to do is to run the outfit down. Much of the discussion about the CIA has been derogatory. Here in the halls of Congress what the gentleman is saying certainly speaks for the people who are living throughout the country and certainly speaks for the people in the 3d District of Texas. We believe in the CIA. We believe what they do is good for the country. We want to stand behind them. We want to take these detractors of the CIA and nail them to the wall.

Mr. MICHEL. Mr. Speaker, I thank the

gentleman for his contribution and would simply say that in the recent appearances this Member has made around the country on the speaking stump, regardless of what we were talking about, the great issues of the day, and if ever we touch on this subject I will say, as the gentleman has so well pointed out that in the country the people are concerned about what this body and the other body of Congress is doing with respect to the disclosure of so much of our intelligence apparatus, that they have much more concern for the welfare of the country than we do on many occasions when we disclose some of these things irresponsibly, in my judgment, as has been done.

Mr. BAUMAN. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Maryland.

Mr. BAUMAN. Mr. Speaker, I want to compliment the minority whip for the statement he has made this afternoon concerning this vital issue that affects our entire security. I think the gentleman has shown rare leadership in anticipating the gravity of a problem that is now finally dawning on the American people. In fact, in introducing this legislation, of which I am proud to be a cosponsor. The gentleman anticipated the fact, and also the attitude of the House of Representatives which was represented by the rollcall that was had on releasing the communications of the CIA to the Select Committee.

Mr. Speaker, I hope the Congress will also act in a similar manner in a way that would protect us against the revealers of facts and knowledge and who because of their costs will not make it possible for us to stand up against our enemies.

Mr. Speaker, I thank the gentleman from Illinois.

Mr. MICHEL. Mr. Speaker, I take this opportunity to commend the gentleman from Maryland for the contribution made during the course of the spirited debate just a week or two ago when the gentleman from Maryland, in fact, essentially echoed those remarks here today by the gentleman's support of what we have said and by cosponsoring the legislation.

Mr. BROOMFIELD. Mr. Speaker, the seemingly inexorable public disclosures of intelligence operations and agents' identities are having a profoundly adverse effect upon the overall effectiveness of our intelligence effort. Overseas contacts, who historically have proved to be invaluable sources of information, are now leaving us high and dry.

Against this backdrop, and in view of the fact that most of us view intelligence as a vital national asset, one would think Congress would now be making a concerted effort to look into the causes that created and/or contributed to this alarming situation. Lamentably, such is not the case.

What is the cause of this indifference? I am beginning to believe it is because we lack full appreciation of what is required to maintain a viable intelligence apparatus.

Some of us, I think, believe intelligence begets itself. Others, I am afraid, have

been seduced by the argument that—thanks to fantastic technological breakthroughs—we can now learn all we need to know about our potential adversaries via overhead satellites and other advanced means of surveillance. Admittedly, some of these methods are quite sophisticated, but so far they have not been able to photograph the intentions of a person's mind.

How short some memories are: Already forgotten are the human intelligence dividends this country derived from the information Soviet Col. Oleg Penkovskiy passed to us not than many years ago. Veteran intelligence hands will tell you that the intelligence payoff from such an intelligence coup is of inestimable value. Among other things, it greatly enhances our efforts to discern, how, when, and where our potential adversaries might use the impressive weaponry that reportedly have been photographed so well from on high. It is hard to conceive of a more important determination.

Former CIA Director William Colby elaborated on this point extremely well in a speech given a couple of years ago. In that address, he stated that:

In a world which can destroy itself through misunderstanding or miscalculation, it is important that our leaders have a clear perception of the motives, intentions and strategies of other powers so that they can be deterred, negotiated about, or countered in the interests of peace or, if necessary, the ultimate security of our country. These kinds of insights cannot be obtained only through technical means or analysis. From closed societies they can only be obtained by secret intelligence operation, without which our country must risk subordination to possible adversaries.

If we are to continue to get the kind of insightful intelligence that Mr. Colby describes, we must—as legislators—take immediate measures to better protect the sources and methods of intelligence that are the lifeblood of this vitally important business.

Mr. Speaker, a first step in that direction can be taken with the speedy passage of H.R. 11470 that my distinguished colleague and minority whip, Mr. MICHEL, has sponsored. There may be considerable disagreement among us as to just what our intelligence policies should be, but we must remain united in our efforts to employ every means possible to protect those who literally put their lives on the line for us.

Mr. BEVILL. Mr. Speaker, during recent attacks on the Central Intelligence Agency, I have frequently said that I am of the opinion that the CIA is, for the most part, continuing to provide admirable service to the best interests of our Nation.

While it is rather obvious that some members of the CIA have on occasion abused their authority throughout the agency's many years of outstanding service, and while I do not for a second condone any activities of this nature, I still consider the job this Agency renders to be of vital importance to our country's welfare.

Certainly, punishment for abusers of CIA authority is necessary, but I think we must weigh the productive things the

Agency is doing against the actions of a few individuals in the Agency.

The murder of CIA Agent Richard Welch in Athens recently made it all too clear that the lives of similar individuals will be placed in jeopardy if public identification of CIA agents continues.

I am of the opinion that the people of the United States expect Congress to see to it that information which would endanger the lives of our intelligence personnel, and furthermore the national security of this Nation, be kept out of the hands of our enemies.

Believing that some sort of action must be taken to protect the lives of our intelligence personnel, I have cosponsored H.R. 11526, which was introduced by my distinguished colleague from Illinois, Congressman ROBERT H. MICHEL.

I strongly urge your support for this legislation which will prohibit public identification of individuals involved in CIA operations.

This bill provides up to 10 years in prison and a \$10,000 fine for persons convicted of identifying any individual who has at any time or is presently engaged in intelligence operations.

The newspaper disclosure that Richard Welch was a CIA agent almost unquestionably led to his untimely death. This legislation restricts future disclosures of this type in newspapers, although the bill should not raise serious first amendment objections because it works very much like a libel law.

Anyone is free to publish anything he wants, but that person can subsequently be prosecuted if that publication violates the rights of another person.

In the case of public disclosures of CIA agents, this is exactly what happens. The fact that the agents are publicly identified literally puts their lives in jeopardy.

The lives of the courageous people engaged in U.S. intelligence operations must be protected to the greatest extent possible.

For this extremely important reason, I ask for your careful consideration. Hopefully, such consideration will result in your support for H.R. 11526—legislation that is vital to the continuation of our strong intelligence forces.

GENERAL LEAVE

Mr. MICHEL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include therein extraneous material on the subject of my special order today.

The SPEAKER pro tempore (Mr. PATERSON of California). Is there objection to the request of the gentleman from Illinois?

There was no objection.

EMERGENCY FEC RULE: FIRST THINGS FIRST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANDERSON) is recognized for 15 minutes.

Mr. ANDERSON of Illinois. Mr. Speaker, as a member of the Rules Committee, I am today introducing an emer-

gency rule to permit prompt House consideration of legislation to reconstitute the Federal Election Commission in response to the recent Supreme Court decision. Under the terms of this rule, upon its adoption the House would immediately resolve itself into the Committee of the Whole House to consider the bill H.R. 11736 introduced by Congressman FRENZEL and MIKVA on February 5, 1976. Their bill is identical to S. 2911 introduced in the other body by Senators SCHWEIKER, CRANSTON, BEALL, MONDALE, and others on February 2, 1976. The bill simply amends section 310(a) of the Federal Election Campaign Act to provide that all six members of the Federal Election Commission be appointed by the President, by and with the advice and consent of the Senate. At present, four of the six members are appointed by the Congress, and therein lies the constitutional rub. The Court held that a Commission so constituted could not exercise powers reserved by the Constitution for executive and independent regulatory agencies; namely, the powers to issue regulations and advisory opinions, bring civil actions against violators or recommend prosecutions to the Justice Department, or direct the Treasury Department to disperse Federal matching payments to Presidential candidates. After March 1, the Commission will be stripped of all such powers except its record-keeping, investigative, and informational functions. The Court purposely granted this 30-day stay to give the Congress time to enact corrective legislation.

WHAT ARE THE ALTERNATIVES?

Mr. Speaker, various alternatives to this simple FEC reconstitution approach have been discussed. There are some who would just as soon completely abolish the Commission and return to the previous system of having the Clerk of the House, Secretary of the Senate and Comptroller General administer the election laws with respect to House, Senate and Presidential races. Nothing in my mind could bring greater disrepute and shame to the Congress than to adopt this approach. There are others who, for one reason or another, want to shift the administration of the Presidential financing program from the FEC to the GAO, at least on a temporary basis. The problem with this approach, obviously, is that the other important functions of the FEC fall between the slats in the meantime—rule-making, advisory opinions, enforcement. Moreover, once such a so-called stopgap measure is adopted, the pressure will be off for reconstituting the FEC and on for extending the stopgap approach through the elections, if not permanently. Finally, with respect to this approach it should be noted that the Comptroller General, Mr. Staats, in a letter to the Speaker on February 5, 1976, wrote, and I quote:

I am much concerned about the workload impact of this possible additional responsibility on this Office burdened as we are with ever-increasing responsibilities placed upon us by the Congress. As you undoubtedly know, we have no budget to undertake this assignment. Moreover, we are not familiar with procedures of the Commission as to how it has carried out its audit and investigations preparatory to certification. As you

well appreciate, I would not want to certify payments without first-hand knowledge on my part to assure eligibility of candidates for the funds requested.

General Staats goes on in his letter to note the practical impossibility for the GAO to make adequate preparation to assume this responsibility by the date specified by the Supreme Court. And he concludes by recommending that "the Congress act within the 30-day period to pass simple legislation authorizing the appointment of the Commission by constitutional means."

Mr. Speaker, I have no doubts as to the sincere motives of the principal authors of the interim GAO approach, Senators SCOTT and KENNEDY. It was their intention to buy time for the Congress to consider a more comprehensive amendment to the Federal election law—partial Federal funding of Senate primary campaigns, and optional full-Federal financing of Senate general election campaigns. This ambitious amendment is title II of S. 2912 which they introduced on February 2, 1976; title I would reconstitute the FEC in conformity with constitutional requirements. As coauthor of a similar proposal in the House (H.R. 9100) with the gentleman from California (Mr. PHIL BURTON) and over 200 cosponsors, I am in sympathy with this objective, though our bill would only provide Federal matching payments for congressional general election campaigns. But from a purely practical standpoint, I don't think it realistic to expect the Congress to enact such a controversial program, even by April 30 of this year. And, even assuming we could, we would then be burdening the FEC not only with the resumption of responsibilities for the presidential campaign financing program, but a brand new congressional program as well. Nothing in my opinion could throw the FEC and 1976 congressional campaigns into more confusion and chaos than this ambitious approach at this time.

Mr. Speaker, there is yet another approach being suggested which was reported in the press this past weekend. According to an article by Mary Russell in the February 7 Washington Post, three House Democrats will today be introducing a bill to not only reconstitute the FEC, but establish an independent special prosecutor within FEC to handle both civil and criminal suits, eliminate corporate political action funds, and give the Congress veto power over FEC advisory opinions. Again, Mr. Speaker, the problem with this approach at this time is that it puts forth a number of very controversial amendments that are bound to delay final action on a bill, and it in effect opens the entire Federal Campaign Election Act to other amendments as well. The amendment process on this bill could make last year's prolonged deliberations on energy legislation look like a unanimous consent request. Again, I do not question the sincere motives of the authors of this proposal; but I do question their judgment in thinking we could somehow dispose of such legislation in just 2 weeks time. The proposal for a permanent prosecutor within the FEC, and outside

☐ UNCLASSIFIED ☐ INTERNAL USE ONLY ☐ CONFIDENTIAL ☐ SECRET

Approved For Release 2007/03/06 : CIA-RDP79M0040002700030003-7

ROUTING AND RECORD SHEET

Executive Registry

76-6686

XP 76-548

SUBJECT: (Optional)

FROM:

Legislative Counsel
7D49-HQ

EXTENSION

4151

NO.

DATE

4 February 1976

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

DDCI

14 Feb 76

W

Attached is a floor statement which Congressman Michel is intending to make later this week.

Also attached is a draft of a press release which Michel's office is planning to use. I discussed this with you last week and told you that you would be used as the source of some of the information in this statement. Please let us know if you have any problems with it.

2.

3.

4.

5.

6.

7.

8.

9.

10.

11.

12.

13.

14.

15.

Deputy Legislative Counsel

To G:

STATINTL

Gen Walters does not have any problem with this

Rail

MR. MICHEL. Mr. Speaker, the first bill I introduced in this Session was designed to protect the lives of intelligence employees of the United States, and was prompted by the tragic murder of Richard Welch, a CIA employee, during Christmas week in Athens, Greece. Many of us were shocked and dismayed to learn that Welch's murder may have been caused by his having been publicly identified as an employee of the CIA.

In researching whether there was any law providing for criminal penalties against anyone blowing the cover of people engaged in intelligence work for the U.S., I was advised that there were none, even though we do have laws on the books with criminal penalties prohibiting the premature disclosure of crop estimates, the names of borrowers from the Federal Land Bank, tax return information, and questions on the Civil Service examination. My office immediately got in touch with the then Director of the Central Intelligence Agency, William Colby, to determine whether he had a similar concern.

We also inquired whether there were any other incidents similar to the Welch case, which had not heretofore been publicly revealed and if so, could they be declassified. Last week we received information from Acting CIA Director Lt. Gen. Vernon A. Walters in response to our request. To me, this information indicated a need for legislation to protect the identities of persons working for U.S. intelligence under cover.

Mr. Speaker, intelligence is a vital national asset, but it does not generate itself. Intelligence sources and methods are painstakingly acquired and developed, often at high cost. It has taken 28 years for us Americans to build up the best foreign intelligence organization in the world. I have

taken this special order as one who is concerned that the systematic exposure of our country's intelligence secrets is doing grave harm to our nation's intelligence structure. I think Senator Mansfield's remark the other day that the intelligence function is a cornerstone to national survival was well put.

While I am very concerned about the general problem of protecting our country's intelligence sources and methods, today I would like to address the most pressing and acute aspect of this problem, namely, protecting the lives and safety of the people engaged in U.S. intelligence activities; this is the subject of my bill.

Mr. Speaker, in some cases identifying and exposing American intelligence personnel who are under cover is fingering them for murder. At this moment there are groups within the United States literally vying with each other to discover and publish the identities of American intelligence officers and agents, and there are no laws to stop them. The brutal slaying of Richard Welch has not deterred them; if anything it has encouraged them.

American intelligence personnel make attractive targets for the extremist groups and terrorist organizations that infest the modern world.

Mr. Speaker, my colleagues should know that the attack on Richard Welch was not an isolated case. I am sorry to say there have been other incidents. For example, very recently in an area of the world in which a number of terrorist groups have been active, an American embassy official was identified by a local journalist as a CIA officer. The journalist's identification may have stemmed from an expose of the CIA. It is unimportant whether that embassy official actually was or was not a CIA officer. The fact that he was alleged to be a CIA officer led to his being marked for assassination by

a terrorist squad. The terrorists staked out an ambush. The American officer was not entrapped in the ambush; however, a local citizen was slain. It was a close call. While I cannot discuss further details, I can tell you that other alarming reports have come to my attention concerning plots and threats on the lives of people who have been identified as intelligence personnel. Nor have the families of those pinpointed been spared. The two daughters of one man were way-laid at knife point. Families of some of those identified have received numerous and graphic threats. There have been bombing attempts. In one country the local authorities found an extremist with photographs of the little children of one of the men identified.

It should be pointed out that many, if not most, of those labelled as CIA people are not in fact affiliated with CIA. And yet when some group identifies them as CIA personnel, they and their families become subject to the dangers and threats that intelligence personnel are now facing.

It is true that the main threat to our intelligence people comes from terrorist groups and extreme political parties. However, the communist intelligence services have not shrunk from violence, kidnapping, and assassination to further their goals. Indeed, they have units specializing in these methods. In the Soviet intelligence service, the KGB, the group that specializes in violence, kidnapping, and assassination is the ultra-secret "Department V." Those in "Department V" gruesomely refer to their assignments as "wet jobs." We have all heard firsthand accounts of the KGB using these techniques against domestic dissidents. However, you should know that "Department V" has used violence, kidnapping, and assassination all over the world.

I do not know if communist intelligence services have used such methods against American intelligence people. That is not my point. Nor can I prove an absolute cause and effect relationship between the exposures of CIA people and the recent threats and attacks against them by extremists. That's not my point either, although I personally think that it is a fair assumption that the exposures brought on the threats and attacks. My point is that in a world where there are ruthless adversaries and terrorist groups, it is dangerous to permit the public identification of American intelligence personnel who are under cover.

We must realize that there are ugly back alleys in the world. Vigilance requires that we send dedicated men and women into these hostile places. Because of our legal and moral traditions we have placed restrictions on these men and women before sending them forth.

Usually the only thing going for them--the only protection we can extend to them--is their cover, their anonymity. Groups here in the United States whose stated purpose is to destroy our country's intelligence agencies are now methodically exposing our intelligence officers.

I cannot believe that Congress will sit safely here in Washington, smugly exploiting the intelligence information which these men and women provide it, and not lift a finger to protect them or their families. This would be a grotesque spectacle. But it is the spectacle which is taking shape right now.

I have introduced legislation making it a crime to identify American intelligence personnel operating under cover. To date ___ Members have joined in co-sponsoring this legislation. Congress has enacted criminal

sanctions to protect the questions on the civil service exam. Congress has made it a crime to disclose the names of bank borrowers from the land bank. But it is not a crime to finger an American intelligence employee for possible murder. Congress has passed no law to protect the lives of the men and women it is sending overseas and into hostile parts of the world to gather intelligence. Surely, the assets which have and will continue to help this country avert a nuclear war are fitting candidates for equal treatment with the names of bank borrowers.

In the outer hallway of the Headquarters Building of the Central Intelligence Agency in Langley, Virginia, they have rows of stars, each star representing an intelligence officer who has given his life in line of duty. Right now they are placing another one there for Richard Welch. It will not be the last one. But I hope that when the next star is chiselled on that marble wall, we in Congress can say at that time that we did our best to protect our fellow citizens.

NEWS FROM CONGRESSMAN BOB MICHEL

WASHINGTON, FEBRUARY 4, 1976. Congressman Bob Michel (R., Ill.), who is sponsoring legislation to set criminal penalties for blowing the cover of U.S. intelligence personnel revealed today that there have been other attempts on the lives of persons who had been identified as CIA employees in press reports.

Michel's remarks, on the floor of the House, were the first public indication of such incidents, other than the well-known case of Richard Welch, the CIA employee whose Christmas week murder prompted Michel to introduce his legislation.

One incident cited by Michel involved an American embassy official who was the target for an attempted terrorist ambush after a local journalist had identified him as a CIA officer. The American escaped the attempt, but a local citizen was slain.

In another case, Michel said the two daughters of another publicly alleged CIA man were way-laid at knife point. In another country, local authorities found an extremist with photographs of the little children of a man identified as a CIA officer.

"Many, if not most, of those labelled as CIA people are not in fact affiliated with the CIA," Michel said. "And yet when some group identifies them as CIA personnel, they and their families become subject to the dangers and threats that intelligence personnel are now facing."

Michel said he had received his information from Deputy CIA Director Lt. Gen. Vernon A. Walters, who transmitted the information to Michel upon the Congressman's request last week. At that time, Walters was Acting Director of the Agency.

Michel stated that while he thought it a fair assumption, he could not actually prove "an absolute cause and effect relationship between the exposures of CIA people and the recent threats and attacks against them."

"My point is that in a world where there are ruthless adversaries and terrorist groups it is dangerous to permit the public identification of American intelligence personnel who are under cover," Michel said.

SENDER WILL CHECK CLASSIFICATION TOP AND BOTTOM			
UNCLASSIFIED	CONFIDENTIAL	SECRET	
OFFICIAL ROUTING SLIP			
TO	NAME AND ADDRESS	DATE	INITIALS
1	Director		✓
2			
3	OLC - Mr. Cary		
4			
5			
6			
ACTION		DIRECT REPLY	PREPARE REPLY
APPROVAL		DISPATCH	RECOMMENDATION
COMMENT		FILE	RETURN
CONCURRENCE		INFORMATION	SIGNATURE

Remarks:

George -
let's discuss this
soon
2/2/76

FOLD HERE TO RETURN TO SENDER

FROM: NAME, ADDRESS AND PHONE NO.

DATE

George L. Cary, Legislative Counsel

MEMORANDUM FOR: Director of Central Intelligence

2. We kept our Subcommittee informed through Frank Slatinshek and had their blessings all the way. Today, however, Rep. Nedzi called and expressed concern that the material we have provided will turn out to be counterproductive and be considered a political move on our part. I find it difficult to accept Mr. Nedzi's reasoning for he is in support of the legislation and supports our providing assistance to Mr. Michel. However, on the basis of his reasoning, we have advised Mr. Michel that we are having second thoughts about the wisdom of putting out such information and suggest that both of us think it over over the weekend before they decide to go ahead with the use of it.

STATINTL

George L. Cary
Legislative Counsel

cc: General Walters

EXECUTIVE ORDER NO. W-7.1

94TH CONGRESS
2D SESSION

H. R. 11365

IN THE HOUSE OF REPRESENTATIVES

JANUARY 19, 1976

Mr. MICHEL introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide for the personal safety of those persons engaged in furthering the foreign intelligence operations of the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 793 of title 18, United States Code, is amended
4 by adding at the end thereof the following subsection:

5 “(h) Whoever, (1) being or having been in authorized
6 possession or control of information identifying or tending to
7 identify any individual or entity as being or having been
8 associated with or engaged in the foreign intelligence opera-
9 tions of the United States, which information has been
10 specifically designated as requiring a specific degree of pro-

1 tection pursuant to the provisions of a statute or Executive
2 order, willfully discloses such information to any person not
3 authorized to receive it or to the public; or (2) not being
4 duly authorized by or pursuant to law to do so, willfully im-
5 parts or communicates to any person or makes public any
6 information identifying or tending to identify any individual
7 as one who at any time has been or is presently engaged in
8 furthering foreign intelligence operations on behalf of the
9 United States, with the intent to disclose an affiliation or
10 relationship of such individual with such foreign intelligence
11 operations, knowing or having reason to believe that such
12 disclosure may prejudice the safety or well-being of the in-
13 dividual identified—

14 "Shall be fined no more than \$10,000 or imprisoned
15 not more than ten years, or both."

Mr. Speaker, Mr. Colby has reported that this Congress--the 94th Congress--has used foreign intelligence information more than any previous Congress. I am proud of this because accurate and timely foreign intelligence is crucial to the choices we face in a wide range of areas--in agriculture, national defense, foreign relations, space, commerce, energy, and others. I think Senator Mansfield's remark the other day that the intelligence function is a cornerstone to national survival was well put.

Intelligence is a vital national asset, but it does not generate itself. Intelligence sources and methods are painstakingly acquired and developed, often at high cost. It has taken 28 years for us Americans to build up the best foreign intelligence organization in the world. I rise to advise you that the systematic exposure of our country's intelligence secrets is doing grave, and in some cases irreparable harm to our nation's intelligence structure. I am not an alarmist, but I tell you solemnly that it is time for alarm.

While I am very concerned about the general problem of protecting our ^{intelligence} country's sources and methods, today I would like to address the most pressing and acute aspect of this problem, namely, protecting the lives and safety of the people engaged in U.S. intelligence activities.

Mr. Speaker, in some cases identifying and exposing American intelligence personnel who are under cover is fingering them for murder. At this moment there are groups within the United States literally vying with each other to discover and publish the identities of American intelligence officers and agents, and there are no laws to stop them. The brutal slaying of Richard Welch has not deterred them; if anything it has encouraged them.

American intelligence personnel make attractive targets for the extremist groups and terrorist organizations that infest the modern world.

Mr. Speaker, my colleagues should know that the attack on Richard Welch was not an isolated case. I am sorry to say there have been other incidents. One in particular has come to my attention. Very recently, in an area of the world in which a number of terrorist groups have been active, an American embassy official was identified by a local journalist as a CIA officer. The journalist's identification quite probably stemmed from a Western expose of the CIA. It is unimportant whether that embassy official actually was or was not a CIA officer. The fact that he was alleged to be a CIA officer led to his being marked for assassination by a terrorist death squad. The terrorists staked out an ambush. The American officer was not entrapped in the ambush; however, a local citizen was slain. It was a close call. While I cannot discuss further details, I can tell you that other alarming reports have come to my attention concerning attempts and threats on the lives of people who have been identified as intelligence personnel during this recent spate of exposes on CIA personnel. Nor have the families of those pinpointed been spared. The two little daughters of one man were way-laid at knife point. Families of some of those identified have received numerous and graphic threats. There have been bombing attempts. In one country the local authorities found an extremist group with photographs of the little children of one of the men identified.

It should be pointed out that many, if not most, of those labelled as CIA people are not in fact affiliated with CIA. And yet when some group identifies them as CIA personnel, they and their families become subject to the dangers and threats that intelligence personnel are now facing.

It is true that the main threat to our intelligence people comes from terrorist groups and extreme political parties. However, the communist intelligence services have not shrunk from violence, kidnapping, and assassination to further their goals. Indeed, they have units specializing in these methods. In the Soviet intelligence service, the KGB, the group that specializes in violence, kidnapping, and assassination is the ultra-secret "Department V." Those in "Department V" gruesomely refer to their assignments as "wet jobs." We have all heard firsthand accounts of the KGB using these techniques against domestic dissidents. However, you should know that "Department V" has used violence, kidnapping, and assassination all over the world. And you should know also that communist intelligence services have recently demonstrated a willingness to use such methods against American intelligence people.

I was shocked to learn that last year a communist intelligence service made efforts to assassinate an American intelligence asset. I was even more shocked to learn where they intended to do it. Their plans showed the utter contempt that the communist intelligence services have for this country, its laws and its law-makers. Working quietly and with restraint, appropriate authorities thwarted their efforts. An anonymous person--a person to whom all American people owe a great debt of gratitude for his successful intelligence work--is now hopefully safe.

We must realize that there are ugly back alleys in the world. Vigilance requires that we send dedicated men and women into these hostile places. Because of our legal and moral traditions we have placed restrictions on these men and women before sending them forth.

Usually the only thing going for them--the only protection we can extend to them--is their cover, their anonymity. Groups here in the United States whose stated purpose is to destroy our country's intelligence agencies are now methodically exposing our intelligence officers and their families to the attacks of ruthless adversaries and terrorist groups.

I cannot believe that Congress will sit safely here in Washington, smugly exploiting the intelligence information which these men and women provide it, and not lift a finger to protect them or their families. This would be a grotesque spectacle. But it is the spectacle which is taking shape right now.

I have introduced legislation making it a crime to identify American intelligence personnel operating under cover. To date ____ Members have joined in co-sponsoring this legislation. Congress has enacted criminal sanctions to protect the questions on the civil service exam. Congress has made it a crime to disclose the names of bank borrowers from the land bank. But it is not a crime to finger an American intelligence employee for possible murder. Congress has passed no law to protect the lives of the men and women it is sending overseas and into hostile parts of the world to gather intelligence. Surely, the assets which have and will continue to help this country avert a nuclear war are fitting candidates for equal treatment with the names of bank borrowers.

In the outer hallway of the Headquarters Building of the Central Intelligence Agency in Langley, Virginia, they have rows of stars, each star representing an intelligence officer who has given his life in line of duty.

Right now they are placing another one there for Richard Welch. It will not be the last one. But I hope that when the next star is chiselled on that marble wall, we in Congress can say at that time that we did our best to protect our fellow citizens.